IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

-

WRIT PETITION NO : 13881 of 2005

Between:

Smt.T.Parvathi, w/o P.Bhaskar Mani,
I.T.D.A.U.P.School, Kindra (V & P), Rajavommangi (M), East Godavari District.

..... PETITIONER

AND

1. The Commissioner, Tribal Welfare, Samkshema Bhavan, Masab Tank, Hyderabad.
2. The Project Officer, I.T.D.A., Rampachodavaram, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring proceedings in Rc.No.T1/62/2001-1, dated 27-12-2000 passed by the 2nd respondent to the extent of imposing major penalty, without conducting enquiry, as bad, illegal, arbitrary, discriminatory and violative of principles of natural justice and offends Articles 16 and 21 of Constitution of India and to set aside the same and consequentially to direct to restore my pay with all consequential benefits.

Counsel for the Petitioner: MR.V.VENUGOPALA RAO

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner questioning the order of the disciplinary authority, dated 27.12.2000, under which, punishment of withholding three periodical increments with cumulative effect was imposed.

According to the petitioner, the said punishment was imposed without conducting regular departmental enquiry. As the punishment imposed is a major one without conducting regular departmental enquiry, the impugned order is not sustainable. At the time of hearing, it is represented by the learned counsel for the petitioner that the petitioner has already filed an appeal before the first respondent on 20.01.2002 itself, but the same has not been disposed of so far. Hence, he has come up with the present writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare appearing for the respondents.

The writ petition is disposed of, without going into the merits of the contentions advanced as the appeal filed before the first respondent is still pending, directing the first respondent to dispose of the appeal filed by the petitioner expeditiously, preferably within a period of eight weeks from the date of receipt of a copy of this order. No costs.

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29.06.2005

VGB

To

1. The Commissioner, Tribal Welfare, Samkshema Bhavan, Masab Tank, Hyderabad.
2. The Project Officer, I.T.D.A., Rampachodavaram, East Godavari District.
3. 2CCs to the Government Pleader for Social Welfare, High Court Buildings, Hyderabad. (OUT)
4. 2CD copies.
5. 1CC to Mr.Venugopala Rao.